

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MOONBUG ENTERTAINMENT
LIMITED and TREASURE STUDIO, INC.,

Plaintiffs,

v.

BABYBUS CO., LTD and BABYBUS
(FUJIAN) NETWORK TECHNOLOGY
CO., LTD,

Defendants.

Case No: 3:21-cv-06536-EMC

**JUDGMENT AND PERMANENT
INJUNCTION SUBJECT TO
MODIFICATION PENDING
RESOLUTION OF POST-JUDGMENT
MOTIONS**

Docket No. 602, 595

1 This action was tried by a jury with the Honorable Edward M. Chen presiding, and the
 2 jury has rendered a verdict. Following the jury's verdict, on Plaintiffs Moonbug Entertainment
 3 Limited and Treasure Studio, Inc. ("Plaintiffs" or "Moonbug") Motion for Entry of Judgment and
 4 Motion for Entry of Permanent Injunction, the Court having considered the evidence introduced
 5 at trial, the relevant legal authority, the parties' respective written submissions, and the arguments
 6 of counsel, and for the reasons stated on the record during the October 5, 2023 hearing on
 7 Plaintiffs' Motion, the Court concludes that a permanent injunction is warranted.

8 Accordingly, the Court now enters judgment and a permanent injunction. The permanent
 9 injunction shall be subject to modification pending resolution of any post judgment motions by
 10 the parties, including without limitation motions brought by Defendants pursuant to Fed. R. Civ.
 11 P. 50(b) and 59.

12 The Court hereby **ORDERS AS FOLLOWS:**

13 **JUDGMENT**

14 **IT IS HEREBY ORDERED AND ADJUDGED** that judgment is **ENTERED** in favor
 15 of Plaintiffs Moonbug Entertainment Limited and Treasure Studio, Inc. and against Defendants
 16 BabyBus Co., Ltd and BabyBus (Fujian) Network Technology Co., Ltd. on Plaintiffs' claims for
 17 copyright infringement and copyright misrepresentation in the amount of \$17,718,114.00 in total
 18 damages assessed by the jury. Costs, as well as prejudgment interest and attorneys' fees, if any,
 19 shall be determined following this Judgment and by separate order of the Court.

20 Pursuant to 28 U.S.C. § 1961, this Judgment shall bear post judgment interest at the rate
 21 of 5.44% per annum.

22 **PERMANENT INJUNCTION**

23 Pursuant to 17 U.S.C. § 502(a), the Court hereby **PERMANENTLY ENJOINS** and
 24 **RESTRAINS** Defendants BabyBus Co., Ltd and BabyBus (Fujian) Network Technology Co.,
 25 Ltd as follows:

26 1. Upon entry of this Judgment, Defendants and each of their agents, employees,
 27 officers, attorneys, authorized representatives, affiliates, successors, assigns, and all persons,
 28 firms, and corporations acting at their direction or on their behalf, are **PERMANENTLY**

ENJOINED from directly or indirectly taking any of the following actions in the United States:

a. reproducing, preparing derivative works based on, distributing, publicly displaying, or publicly performing any content that infringes Plaintiffs' copyrights in their protected JJ character, family characters, and animal characters, as registered and developed in the infringed CoComelon Works,¹ including but not limited to all Super JoJo content that includes the JoJo character (the "Enjoined Content");

b. knowingly aiding, assisting, or abetting any other individual or entity in doing any act prohibited above, unless receiving prior written authorization from Plaintiffs.

¹ The infringed CoComelon Works, identified in the jury's verdict, Dkt. No. 579, are as follows: The JJ Character (U.S. Copyright No. VAu001379978 (JJ)); JJ's Family Characters (Copyright No. VAu001322038 (Unpublished Family Characters 2017)); CoComelon Animal's Characters (U.S. Copyright No. VAu001319613 (Animal Characters 2017)); The Boo Boo Song (U.S. Copyright No. PA0002181622 (The Boo Boo Song)); Yes Yes Vegetables Song (U.S. Copyright No. PA0002149483 (Yes Yes Vegetables Song)); Yes Yes Vegetables Song (U.S. Copyright No. PA0002159137 (Yes Yes Vegetables Song)); Car Wash Song (U.S. Copyright No. PA0002191424 (Car Wash Song)); Bath Song (U.S. Copyright No. PA0002146326 (Bath Song)); Yes Yes Playground Song (U.S. Copyright No. PA0002145951 (Yes Yes Playground Song)); Yes Yes Bedtime Song (U.S. Copyright No. PA0002177791 (Yes Yes Bedtime Song)); No No Play Safe Song (U.S. Copyright No. PA0002177782 ("No No" Play Safe Song)); No No Bedtime Song (U.S. Copyright No. PA0002149484 ("No No" Bedtime Song)); No No Playground Song (U.S. Copyright No. PA0002177781 ("No No" Playground Song)); No No Table Manners Song (U.S. Copyright No. PA0002177787 ("No No" Table Manners Song)); Doctor Checkup Song (U.S. Copyright No. PA0002181041 (Doctor Checkup Song)); Animal Dance Song (U.S. Copyright No. PA0002168575 (Animal Dance Song)); First Day of School Song (U.S. Copyright No. PA0002184736 (First Day of School)); Five Little Monkeys (U.S. Copyright No. PA0002192144 (Five Little Monkeys)); Getting Ready for School Song (U.S. Copyright No. PA0002169923 (Getting Ready for School Song)); Hello Song (U.S. Copyright No. PA0002183993 (Hello Song)); Jobs and Career Song (U.S. Copyright No. PA0002191932 (Jobs and Career Song)); Laughing Baby with Family (U.S. Copyright No. PA0002209528 (Laughing Baby with Family)); Laughing Baby with Family (U.S. Copyright No. PA0002156496 (Laughing Baby with Family)); Looby Loo (U.S. Copyright No. PA0002190861 (Looby Loo)); One Potato, Two Potato (U.S. Copyright No. PA0002159136 (One Potato, Two Potatoes)); Opposites Song (U.S. Copyright No. PA0002146866 (Opposites Song)); Peek a Boo Song (U.S. Copyright No. PA0002209504 (Peek A Boo Song)); Peek a Boo Song (U.S. Copyright No. PA0002156528 (Peek A Boo Song)); Rock-A-Bye Baby (U.S. Copyright No. PA0002190862 (Rock-a-bye Baby)); Shape Song (U.S. Copyright No. PA0002190382 (Shape Song)); Sick Song (U.S. Copyright No. PA0002161511 (Sick Song)); Swimming Song (U.S. Copyright No. PA0002161510 (Swimming Song)); Teacher Song (U.S. Copyright No. PA0002184737 (Teacher Song)); Thank You Song (U.S. Copyright No. PA0002190864 (Thank You Song)); This is the Way (U.S. Copyright No. PA0002169623 (This Is the Way)); Traffic Safety Song (U.S. Copyright No. PA0002190384 (Traffic Safety Song)); Wheels on the Bus (U.S. Copyright No. PA0002181071 (Wheels on the Bus)); Winter Song (Fun in the Snow) (U.S. Copyright No. PA0002181080 (Winter Song (Fun in the Snow))); Colors Song – Learn Colors (PA0002146325 (Colors Song – Learn Colors, displayed on YouTube as "Colors Song (with Popsicles)")).

2. In the event that any Enjoined Content remains available to the public on Defendants' channels on Amazon, Roku, or on any other such U.S.-based platform at the time of entry of this Judgment and Permanent Injunction, Defendants shall have five (5) business days from the date of entry to submit requests, in writing and with a copy of this Judgment and Permanent Injunction, to Amazon, Roku, or any other such U.S.-based platform instructing the immediate removal of all Enjoined Content.

3. Within 14 days of entry of this Judgment and Permanent Injunction, Defendants shall file with the Court and serve upon Plaintiffs' counsel a report in writing, under oath, setting forth in detail the manner and form in which Defendants have complied with the terms of this Permanent Injunction.

4. If a Defendant, or a Defendant's agent, employee, officer, attorney, authorized representative, affiliate, successor, assign, or person, firm, or corporation acting at their direction or on their behalf, is found by the Court to be in contempt of, or otherwise to have violated this Permanent Injunction, Plaintiffs shall be entitled to seek all available relief which they may otherwise request from the Court, including sanctions for contempt, damages, injunctive relief, attorneys' fees, costs, and any other relief the Court deems proper.

5. If Plaintiffs assert that any violation of the terms of this Permanent Injunction have occurred, they shall meet and confer with Defendants regarding the applicability of this Permanent Injunction before filing any motion for contempt. A meet and confer shall occur within 10 business days of Plaintiff asserting a violation.

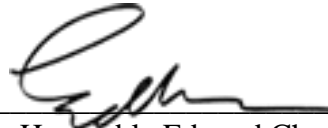
6. This Permanent Injunction shall be binding upon and shall inure to the benefit of the parties and their respective successors, assigns, and acquiring companies.

7. The Court retains jurisdiction of this matter for the purposes of enforcing the terms of this Permanent Injunction and awarding damages or other relief for violations thereof.

8. This Permanent Injunction is subject to modification pending resolution of any post judgment motions by the parties, including without limitation motions brought by Defendants pursuant to Fed. R. Civ. P. 50(b) and 59. This Permanent Injunction shall remain in full force and effect unless and until modified by order of this Court.

IT IS SO ORDERED.

Dated: October 30, 2023



The Honorable Edward Chen
United States District Judge